

# MONO COUNTY PLANNING COMMISSION

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## MINUTES June 14, 2007 (Adopted July 12, 2007)

**Commissioners present:** Ron Black, Scott Bush, Sally Miller, Steve Shipley. **Absent:** Paul Rowan.

**Staff present:** Scott Burns, director; Keith Hartstrom & Larry Johnston, principal planners; Greg Newbry & Gwen Plummer, senior planners; Evan Nikirk & Walt Lehmann, public works; Allen Berrey, assistant county counsel; C.D. Ritter, commission secretary.

1. **CALL TO ORDER:** Chair Sally Miller called the meeting to order at 10:02 a.m.
2. **PUBLIC COMMENT:** No items.
3. **MEETING MINUTES:** Review and adopt minutes of:
  - 1) Continue minutes of May 10, 2007, to next meeting (Commissioners Bush, Rowan & Shipley must be present); and
  - 2) Adopt minutes of Special Meeting of Feb. 1, 2007 (Commissioners Bush, Miller and Shipley must be present). (Bush/Shipley. Ayes: 3-0. Abstain due to absence: Black. Absent: Rowan.)

#### 4. **PUBLIC HEARINGS:**

**A. TENTATIVE PARCEL MAP 31-95/Dunn & Pennington.** The proposed project (APN 02-430-17) would subdivide a 16.9-acre parcel into three lots of 5.1, 6.7 and 5.1 acres. The property is located on Burcham Flat Road in the community of Walker. The General Plan designation is Rural Residential with a five-acre minimum parcel size (RR 5). *Staff: Keith Hartstrom & Gwen Plummer*

Gwen Plummer outlined the proposal.

**OPEN PUBLIC HEARING.** Proponents Jim Dunn and wife, Paula Pennington, were present. Dunn said existing residence has its own access from Burcham Flat Road, so is not part of the cul-de-sac.

Rebecca Musil, neighbor, had concerns about siting of new residences, dogs, and traffic calming. Keith Hartstrom showed her the building envelopes and indicated two new residences likely will not create a significant effect on traffic count. **CLOSE PUBLIC HEARING.**

**DISCUSSION:** Commissioner Black suggested wireless fencing to keep dogs from straying.

**MOTION:** Approve Tentative Parcel Map 31-95 as presented. (Bush/Black. Ayes: 4-0. Absent: Rowan.)

**B. USE PERMIT MODIFICATION 31-91-12/Shaffer.** Use Permit 31-91-12 was approved in 1991 for a church in Walker. The modification is to remove the existing modular church building and replace it with a new 3,196-sq. ft. modular building with a steeple. Existing landscaping will be undisturbed. The project qualifies as a Class 3 Categorical Exemption for construction and location of a limited number of new, small facilities or structures. *Staff: Greg Newbry*

DISTRICT #1  
COMMISSIONER  
Paul Rowan

DISTRICT #2  
COMMISSIONER  
Steve Shipley

DISTRICT #3  
COMMISSIONER  
Ron Black

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Sally Miller

Greg Newbry reviewed the project's original use permit. Most parking lots in Walker are not paved, so applicants requested decomposed granite except for paved handicapped spaces.

**OPEN PUBLIC HEARING.** Casey Jones, project architect, indicated that no resident minister lives on the property. **CLOSE PUBLIC HEARING.**

**MOTION:** Approve Use Permit Modification 31-91-12 with amended conditions (Bush/Black. Ayes: 4-0. Absent: Rowan.):

#2: Paving **Decomposed granite** is required **allowed** for the driveway and parking.

#3: ~~The project shall comply with ADA requirements.~~

## 5. ACTION ITEM:

**A. FINAL APPROVAL OF PARCEL MAP 37-186 /Van Nest.** Parcel Map 37-186 will divide APN 26-210-05, totaling 3.11 acres, into three lots of one acre each. The property is located in the community of Chalfant at the southeast corner of the intersection of U.S. Highway 6 and Brown Subdivision Road. The General Plan designation is Rural Mobile Home with a one-acre minimum lot size (RMH). The tentative parcel map was approved at a public hearing conducted by the Planning Commission on May 11, 2006. *Staff: Evan Nikirk*

Evan Nikirk requested a right of way to ensure an adequate turning radius on the road. Parcel 1 has an easement offer for transportation purposes. A pedestrian structure for highway crossing could be built later. Proponent Curt Van Nest, who was present, granted an easement for an existing shed encroaching on the south property line till the structure falls down.

**MOTION:** Authorize chair's signature on Parcel Map 37-186, indicating its approval. (Shipleigh/Bush. Ayes: 4-0. Absent: Rowan.)

## 6. WORKSHOPS:

### A. HEIGHT REGULATIONS. *Staff: Larry Johnston*

Larry Johnston distributed existing regulations and presented background. Complex building shapes make it difficult to determine height. Averaging height on a sloping lot could leave a large face on one side. In order not to guess where heights are measured on building permit sign-off, take the highest point and show the natural grade under it: 35' maximum from natural grade. Restrict visual impact on surroundings. The purpose is aesthetics, to prevent a huge headwall and super-tall buildings above grade. Minimize the effect at ground level.

### B. CLUSTER DEVELOPMENT. *Staff: Scott Burns*

Scott Burns cited an ongoing struggle to mitigate impacts on sensitive resources. Better use of land would concentrate development in the least sensitive areas of a site while preserving ag land, botanical resources and open space. Smart growth principles support clustering to address land use deficiencies, shared infrastructure, service efficiencies, and emergency services. At issue is how to deal with a remainder.

A lengthy, spirited discussion generated comments such as the following:

- 1) Unless clustering is required in the General Plan, the concept has no teeth in it.
- 2) Some don't want to do ag; they just want to live in the country.
- 3) Ag land has to be maintained; it's not like sagebrush.
- 4) Most people who buy property don't want neighbors nearby.
- 5) Antelope Valley residents think government is trying to tell them what to do on their land (e.g., dark sky regulations).
- 6) If there is interest in keeping ag land, a land conservancy could work with ranchers on an ag master plan. Maybe the only way to develop an ag master plan would be to get a grant and hire someone to take charge of the project.
- 7) Mono can't force people to cluster. From a county perspective, clustering could make sense for future development. Housing is an extreme hardship. How do you plan for 30 years ahead?
- 8) If more rats are put in a cage, problems occur. Making people live close to each other creates problems. Crime reports in Mammoth Lakes are triple the rest of Mono County.
- 9) Clustering will occur where property is naturally constrained by topography. It is an option, not a mandate. The market will determine parcel size.

10) If clustering is mandated, compensate the owner at fair market value.

Suggestions: 1) Invite ag and land trust people to next workshop; 2) have staff work on cluster chapter and invite input; 3) provide clarification in General Plan on implementing; 4) give staff permission to work on it, bring it back to commission, and then to RPACs.

**7. REPORTS:**

**A. LARRY JOHNSTON:** 1) Intrawest's Rodeo Grounds: Proposes 833 units with GPA for buildings up to 90' high, sent to consultants to verify bid amounts. Can excess water be fed into the June Lake water system? Consultants think that water does not come from surface waters (Gull Lake), but might have some effect on Reversed Creek because a nearby spring was affected during draw-down tests. The well was so productive, it probably could pipe water. Two exploratory wells were drilled. 2) C&L Development: Paradise proposal has 53 acres, 53 ER lots, semi-clustered development with smaller lots, putting in well, package treatment plant, hired consultant, have deposit, water found (some iron in it), 1,700'-deep well, 250 gal/min sustainable (needed 150 gal/min to service development). Mono took a harder line on design aspects now that it's for sale, as the owner is proceeding anyway. 3) Crowley Lake Estates: Boxenbaum engaged a finance specialist to determine whether project is feasible from tax-increment perspective. He was asking MLH housing director for help, but Maldonado resigned. Current proposal is all SFR instead of mixed use.

**GREG NEWBRY:** 1) Chalfant Valley: Caltrans is willing to look at planning process for community, not just highway. MIG Consultants has held community meetings aimed at maintaining rural perspective, large lot size, etc., trying to get a feel for the community's 20-year future. MIG will meet tonight in Benton, update and conduct a similar process if residents want it. It's community-driven, not Caltrans or Mono County. 2) White Mountain Estates: SP/EIR is out for public review, resurrecting an old, approved subdivision map, adding another 40+ lots.

**8. INFORMATION:** No items.

**9. ADJOURN:** 12:22 p.m.

Respectfully submitted,  
C.D. Ritter, commission secretary